

AN ORDINANCE 2006-03-02-0304

**AUTHORIZING THE RENEWAL OF THE DEPOSITORY SERVICES CONTRACT WITH FROST NATIONAL BANK, TO PROVIDE DEPOSITORY BANKING AND RELATED FINANCIAL SERVICES TO THE CITY OF SAN ANTONIO, FOR AN ADDITIONAL ONE (1) YEAR TERM, COMMENCING JULY 1, 2006, AND ENDING JUNE 30, 2007, UNDER THE SAME TERMS AND CONDITIONS.**

\* \* \* \* \*

**WHEREAS**, the City of San Antonio selected Frost National Bank as its depository bank through Ordinance No. 95596, passed and approved April 11, 2002, after conducting a Request for Proposal process; and

**WHEREAS**, the terms of the Depository Services Contract approved through said Ordinance authorized a three-year initial term, with the City having the option to renew for two additional one-year periods, under the same terms and conditions, contingent upon City Council approval; and

**WHEREAS**, through Ordinance No. 100756, passed and approved April 28, 2005, the Depository Services Contract was renewed and extended for the first one-year period, which began July 1, 2005, and will end June 30, 2006; and

**WHEREAS**, City Staff recommends the renewal of the Depository Services Contract with Frost National Bank for Frost National Bank to act as the City's depository bank for the second one-year period, to commence July 1, 2006, and end June 30, 2007; **NOW, THEREFORE**;

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The Depository Services Contract with Frost National Bank, approved through Ordinance No. 95596, passed and approved April 11, 2002, and renewed through Ordinance No. 100756, passed and approved April 28, 2005, is hereby renewed for a one-year period to commence on July 1, 2006, and end on June 30, 2007. A copy of the *Depository Services Contract Second Renewal And Extension* ("Second Renewal") is attached hereto and made a part hereof for all purposes as Attachment I. The terms and conditions of the Second Renewal are hereby approved. The City Manager, or her designee, is hereby authorized to execute the Second Renewal.

If the parties are unable to execute the Second Renewal substantially in accordance with the terms and conditions set forth in Attachment I within forty-five days from the effective date of this Ordinance, authority to execute the Second Renewal is subject to subsequent City Council action.

**SECTION 2.** No financial impact will result from this Ordinance.


**SECTION 3.** This Ordinance is effective immediately, upon passage by eight (8) affirmative votes; otherwise, said effective date shall be ten (10) days from the date of passage hereof.

**PASSED AND APPROVED** this 2<sup>nd</sup> day of March, 2006.

  
M A Y O R  
PHIL HARDBERGER

**ATTEST:**   
City Clerk

**APPROVED AS TO FORM:**

  
for City Attorney

# Agenda Voting Results

**Name:** 40A.

**Date:** 03/02/06

**Time:** 05:39:05 PM

**Vote Type:** Multiple selection

**Description:** An Ordinance authorizing the renewal of the Depository Services Contract with Frost National Bank, to provide depository banking and related financial services to the City of San Antonio, for an additional one (1) year term, commencing on July 1, 2006 through June 30, 2007, under the same terms and conditions.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		

A T T A C H M E N T I

**DEPOSITORY SERVICES CONTRACT  
SECOND RENEWAL AND EXTENSION**

This *Depository Services Contract Second Renewal And Extension* ("Second Extension") is entered into by and between the **CITY OF SAN ANTONIO, TEXAS** (hereinafter referred to as "CITY"), a Texas Municipal Corporation, acting by and through its City Manager, or her designated representative, pursuant to Ordinance No. \_\_\_\_\_, passed and approved February \_\_\_\_, 2006, and pursuant to Section IV., entitled "Term", of the *Depository Services Contract*, approved pursuant to Ordinance No. 95596, passed and approved on April 11, 2002 (hereinafter referred to as "Contract"), and **FROST NATIONAL BANK** (hereinafter referred to as "DEPOSITORY"), a duly incorporated financial institution domiciled in the State of Texas and authorized to perform depository services in this State, and is as follows:

**WHEREAS**, pursuant to Ordinance No. 95596, passed and approved on April 11, 2002, the CITY's City Council authorized the execution of the Contract with DEPOSITORY to provide banking and related services for an initial three (3) year term, with the option in CITY to renew for two (2) additional one-year terms, subject to approval of CITY's City Council; and

**WHEREAS**, pursuant to Ordinance No. 100756, passed and approved on April 28, 2005, CITY's City Council authorized execution of that certain *Depository Services Contract Renewal And Extension* ("First Extension"), pursuant to which the Contract was renewed and extended for a period of one year, commencing July 1, 2005, and terminating June 30, 2006; and

**WHEREAS**, CITY and DEPOSITORY have agreed to renew and extend the Contract for its second and final one-year extension, to commence July 1, 2006, and terminate June 30, 2007; **NOW, THEREFORE**

**FOR VALUABLE CONSIDERATION**, CITY and DEPOSITORY hereby severally and collectively agree as follows:

**I.**

Pursuant to the provisions of Section IV., entitled "Term", of the Contract, CITY and DEPOSITORY mutually agree to renew and extend the term of the Contract for a period of one year, commencing July 1, 2006, and terminating June 30, 2007, under the same terms and conditions as stated in the Contract as extended pursuant to the First Extension.

**II.**

All other terms and conditions of the Contract shall remain unchanged and in full force and effect.

EXECUTED this the \_\_\_\_ day of \_\_\_\_\_, 2006.

**CITY:**

**CITY OF SAN ANTONIO, TEXAS**

**DEPOSITORY:**

**FROST NATIONAL BANK**

BY:

\_\_\_\_\_  
Sheryl Sculley  
City Manager

BY:

\_\_\_\_\_  
Tom Frost, III  
Executive Vice President

Approved as to Form:

\_\_\_\_\_  
Robert K. Nordhaus  
Assistant City Attorney

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DEPOSITORY SERVICES CONTRACT  
SECOND RENEWAL AND EXTENSION